

Settlement Date: February 13<sup>th</sup>, 2014  
Time: 12:00 Noon

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13  
Case No. 13-13827 ALG

**HUI JUN WANG,**

**NOTICE OF SETTLEMENT**

Debtor(s)

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**FAILURE TO RESPOND MAY LEAD TO A DISMISSAL OF YOUR CASE**

**PLEASE TAKE NOTICE**, that an *Order*, a true copy of which is annexed hereto, will be presented for signature to the Hon. Allen L. Gropper, United States Bankruptcy Judge, on the 13<sup>th</sup> day of February, 2014 at 12:00 Noon in the United States Bankruptcy Court, U.S. Customs House, One Bowling Green, New York, New York 10004.

Hearings on objections will be scheduled upon the receipt of written objections or counterorders to be submitted to chambers by no later than close of business on the business day prior to settlement.

**OBJECTIONS TO PROPOSED ORDER:**

All objections to a proposed order **MUST HAVE** the settlement date of the original notice typed or written on the first page in the upper right-hand corner of the document.

**COUNTER-PROPOSED ORDERS:**

All counter-proposed orders should be clearly denominated as such, with the return date of the original proposed order in the upper right-hand corner of the first page. A

copy of the transcript, if a hearing was held, must be submitted with the counter-proposed order.

Dated: White Plains, New York  
January 14<sup>th</sup>, 2014

/s/ Jeffrey L. Sapir  
**Jeffrey L. Sapir (JLS0938)**  
**Chapter 13 Trustee**  
**399 Knollwood Road**  
**White Plains, New York 10603**  
**Chapter 13 Tel. No. 914-328-6333**

**TO:** United States Trustee  
201 Varick Street  
New York, New York 10014

Hui Jun Wang  
2117 Clinton Avenue  
Bronx, New York 10457

Stout Street Fund I, L.P.  
1200 17<sup>th</sup> Street #800  
Denver, Colorado 80202

Stout Street Fund I, L.P.  
c/o Perkins Coie LLP  
30 Rockefeller Plaza  
New York, New York 10112

Yihua Ci  
141-19 Cherry Avenue  
Flushing, New York 11355

18 M.S. Realty .  
2117 Clinton Avenue  
Bronx, New York 10456

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13

Case No. 13-13827 ALG

**HUI JUN WANG,**

Debtor

----- -x

**ORDER DISMISSING CHAPTER 13 CASE**

The Court finds that cause exists to dismiss this case under

11 U.S.C. §1307(c )(1) in that the debtor has caused unreasonable delay that is prejudicial to  
creditors by:

a. failing to be examined at the meeting of creditors scheduled pursuant to

11 U.S.C. §341(a); and

b. failing to provide all documentation as required by the Chapter 13 trustee.

The Court further finds that cause exists to dismiss this case under

11 U.S.C. §1307(c )(3) in that the debtor failed to timely file a plan under 11 U.S.C. §1321 and  
Federal Rules of Bankruptcy Procedure 3015(b);

The Court further finds that cause exists to dismiss this case under

11 U.S.C. §1307(c )(4) in that the debtor has failed to remit timely plan payments to the Chapter  
13 trustee as required by 11 U.S.C. §1326;

The Court further finds that the debtor has failed to comply with

11 U.S.C. §521(i) by failing to timely file documents as required under 11 U.S.C. §521(a)(1);

The Court further finds that the debtor failed to comply with

11 U.S.C. §521(e)(2)(A)(i) in that the debtor failed to provide the trustee with copies of federal

and state tax returns for the most recent tax years preceding the commencement of the case,  
within seven (7) days prior to the meeting of creditors scheduled pursuant to 11 U.S.C. §341(a)

**IT IS HEREBY ORDERED THAT:**

Pursuant to 11 U.S.C. §§1307(c )(1), (c )(3), (c )(4), 521(i) and 521(e)(2)(B), this  
Chapter 13 case is hereby dismissed.

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13  
Case No. 13-13827 ALG

**HUI JUN WANG,**

**TRUSTEE'S AFFIDAVIT**

Debtor(s)

----- -X

STATE OF NEW YORK                    )  
COUNTY OF WESTCHESTER    )   ss.:

Jeffrey L. Sapir, being duly sworn, deposes and says:

1.     He is the standing Chapter 13 Trustee.
2.     The debtor filed a Chapter 13 proceeding on November 25<sup>th</sup>, 2013.
3.     The debtor failed to comply with the provisions of 11 U.S.C. §1307(c)(1),  
(c)(3) and (c)(4).
4.     The debtor is in violation of 11 U.S.C. §521(i) of the Bankruptcy Code which  
requires the debtor to file schedules, statement of financial affairs, payment advices and evidence of  
other payments received within 60 days, and the “means” test.
5.     The debtor is in violation of §521(e)2(A)(i) of the Bankruptcy Code which  
requires the debtor to provide *seven (7) days prior to the §341(a) meeting of creditors*, copies of  
federal and state tax returns for the most recent years preceding the commencement of the case,  
to wit, 2010, 2011 and 2012.
6.     The debtor failed to timely file a plan in violation of Bankruptcy Rule 3015(b),  
and schedules in violation of Bankruptcy Rule 1007(c).
7.     The debtor failed to remit timely proposed plan payments to the trustee,

having remitted -0- payments, and being, at this juncture, one month in arrears.

8. The debtor appeared but failed to be examined at the initial 341(a) meeting of creditors.

9. The debtor failed to provide the trustee with the required documentation, to wit, appraisals.

10. The debtor has created unreasonable delay that is prejudicial to creditors.

**WHEREFORE**, the trustee respectfully requests that the annexed order dismissing this case pursuant to 11 U.S.C. §§1307(c )(1); (c )(3) and (c )(4), 11 U.S.C.521(i), and 521(e)2(A)(i), be signed.

/s/ Jeffrey L. Sapir  
**Jeffrey L. Sapir**

Sworn to before me this  
14<sup>th</sup> day of January, 2014  
/s/ Jody L. Kava

Jody L. Kava  
Notary Public, State of New York  
No. 02KA4836806  
Qualified in Westchester County  
Term Expires: 10/31/17

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13

Case No. 13-13827 ALG

**HUI JUN WANG,**

Debtor(s)

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**AFFIDAVIT OF MAILING**

STATE OF NEW YORK                    )  
COUNTY OF WESTCHESTER        ) ss.:

Lois Rosemarie Esposito, being duly sworn, deposes and says:

I am not a party to the action herein, I am over the age of 18 years and reside in the County of Westchester, State of New York. On January 14<sup>th</sup>, 2014, I served a true copy of the within document, to the herein listed parties at the address(es) designated for that purpose, by mailing same in a properly sealed envelope with postage prepaid thereon, in an official depository of the United States Postal Service within the State of New York to the following:

**TO:** United States Trustee  
201 Varick Street  
New York, New York 10014

Hui Jun Wang  
2117 Clinton Avenue  
Bronx, New York 10457

Stout Street Fund I, L.P.  
1200 17<sup>th</sup> Street #800  
Denver. Colorado 80202

Stout Street Fund I, L.P.  
c/o Perkins Coie LLP  
30 Rockefeller Plaza  
New York, New York 10112

Yihua Ci  
141-19 Cherry Avenue  
Flushing, New York 11355

18 M.S. Realty .  
2117 Clinton Avenue  
Bronx, New York 10456

/s/ Lois Rosemarie Esposito  
**Lois Rosemarie Esposito**

Sworn to before me this  
14<sup>th</sup> day of January, 2014

/s/ Jeffrey L. Sapir  
Jeffrey L. Sapir  
Notary Public, State of New York  
No.02SA8764500  
Qualified in Rockland County  
Term Expires: 12/31/14